

1 DEAN S. KRISTY (CSB NO. 157646)  
[dkristy@fenwick.com](mailto:dkristy@fenwick.com)  
2 JENNIFER C. BRETAN (CSB NO. 233475)  
[jbretan@fenwick.com](mailto:jbretan@fenwick.com)  
3 MARA R. LUDMER (CSB No. 307662)  
[mludmer@fenwick.com](mailto:mludmer@fenwick.com)  
4 FENWICK & WEST LLP  
5 555 California Street, 12th Floor  
San Francisco, CA 94104  
Telephone: (415) 875-2300  
6 Facsimile: (415) 281-1350

7 Attorneys for Defendants  
8 Tesla, Inc. and Elon Musk  
9

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 KALMAN ISAACS, individually and on  
behalf of all others similarly situated,

14 Plaintiff,

15 v.

16 ELON MUSK and TESLA, INC.,

17 Defendants.  
18  
19

Case No. 3:18-cv-04865-EMC

**STIPULATION REGARDING  
ADMINISTRATIVE MOTION TO  
RELATE CASES AND ~~PROPOSED~~  
ORDER RELATING CASES**

(Civil L.R. 3-12, 7-11, and 7-12)

Judge: Hon. Edward M. Chen

Date Action Filed: August 10, 2018

1 WHEREAS, on August 10, 2018 plaintiff Kalman Isaacs filed a complaint alleging  
2 violation of the federal securities laws against Tesla, Inc. and Elon Musk, captioned *Isaacs v.*  
3 *Musk et al.*, Case No. 3:18-CV-04865-EMC (“*Isaacs*”); and

4 WHEREAS, on August 10, 2018 plaintiff William Chamberlain filed a complaint alleging  
5 violation of the federal securities laws against the same defendants, captioned *Chamberlain v.*  
6 *Tesla, Inc. et al.*, Case No. 3:18-CV-04876-JST (“*Chamberlain*”); and

7 WHEREAS, on August 13, 2018 plaintiff John Yeager filed a complaint alleging violation  
8 of the federal securities laws against the same defendants, captioned *Yeager v. Tesla, Inc. et al.*,  
9 Case No. 3:18-CV-04912-CRB (“*Yeager*”); and

10 WHEREAS, on August 14, 2018 plaintiff Carlos Maia filed a complaint alleging violation  
11 of the federal securities laws against the same defendants, captioned *Maia v. Tesla, Inc. et al.*,  
12 Case No. 3:18-CV-04939-EMC (“*Maia*”); and

13 WHEREAS, on August 15, 2018 plaintiff Kewal Dua filed a complaint alleging violation  
14 of the federal securities laws against the same defendants, captioned *Dua v. Tesla, Inc. et al.*,  
15 Case No. 4:18-CV-04948-HSG (“*Dua*”); and

16 WHEREAS, on August 28, 2018 plaintiff Joshua Horwitz filed a complaint alleging  
17 violation of the federal securities laws against the same defendants, captioned *Horwitz v. Tesla,*  
18 *Inc. et al.*, Case No. 5:18-CV-05258-LHK (“*Horwitz*”);

19 WHEREAS, on September 6, 2018, plaintiff Andrew E. Left filed a complaint alleging  
20 violation of the federal securities laws against the same defendants, captioned *Left v. Tesla, Inc. et*  
21 *al.*, Case No. 3:18-cv-05463-VC (“*Left*”);

22 WHEREAS, on September 6, 2018, plaintiff Zhi Xing Fan filed a complaint alleging  
23 violation of the federal securities laws against the same defendants, captioned *Fan v. Tesla, Inc. et*  
24 *al.*, Case No. 3:18-cv-05470-YGR (“*Fan*”);

25 WHEREAS, the *Isaacs* and *Maia* actions have previously been deemed related and are  
26 currently assigned to the Honorable Edward M. Chen, but the subsequent *Chamberlain*, *Yeager*,  
27 *Dua*, *Horwitz*, *Left*, and *Fan* actions are assigned to various other Judges of the United States  
28 District Court for the Northern District of California; and

WHEREAS the parties believe the actions should be related because (1) they are all purported class actions, asserting the same causes of action under Section 10(b) and 20(a) of the Securities Exchange Act of 1934, against the same defendants, and arising from the same circumstances; and (2) it would be unduly burdensome, involve unwarranted duplication of effort and expense, and give rise to the prospect of inconsistent or conflicting results if the cases were heard by different Judges.

IT IS ACCORDINGLY STIPULATED, pursuant to Civil Local Rules 3-12, 7-11 and 7-12, by and between undersigned counsel for the parties, that in addition to *Maia*, the *Chamberlain*, *Yeager*, *Dua*, *Horwitz*, *Left*, and *Fan* actions should also be related to the *Isaacs* action.

Dated: September 7, 2018

FENWICK & WEST LLP

By: /s/ Jennifer C. Bretan  
Jennifer C. Bretan

555 California Street, 12th Floor  
San Francisco, California 94104  
Telephone: (415) 875-2300  
Facsimile: (415) 281-1350

Attorneys for Defendants Tesla, Inc. and Elon Musk

Dated: September 7, 2018

KELLER LENKNER LLC

By: /s/ U. Seth Ottensoser  
U. Seth Ottensoser

1330 Avenue of the Americas  
New York, NY 10019  
Telephone: (212) 653-9715

Attorneys for Plaintiff Kalman Isaacs

Dated: September 7, 2018

HAGENS BERMAN SOBOL SHAPIRO LLP

By: /s/ Reed Kathrein  
Reed Kathrein

715 Hearst Ave., Suite 202  
Berkeley, California 94710  
Telephone: (510) 725-3000  
Facsimile: (510) 725-3001

Attorneys for Plaintiff William Chamberlain

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO

Dated: September 7, 2018

SCOTT + SCOTT ATTORNEYS AT LAW LLP

By: /s/ John T. Jasnoch  
John T. Jasnoch

600 W. Broadway, Suite 3300  
San Diego, CA 92101  
Telephone: (619) 233-4565  
Facsimile: (619) 233-0508

Attorneys for Plaintiffs John Yeager and Kewal Dua

Dated: September 7, 2018

KAPLAN FOX & KILSHEIMER LLP

By: /s/ Laurence D. King  
Laurence D. King

350 Sansome Street, Suite 400  
San Francisco, California 94104  
Telephone: (415) 772-4700  
Facsimile: (415) 772-4709

Attorneys for Plaintiff Carlos Maia

Dated: September 7, 2018

ROBBINS GELLER RUDMAN & DOWD LLP

By: /s/ Shawn A. Williams  
Shawn A. Williams

Post Montgomery Center  
One Montgomery Street, Suite 1800  
San Francisco, California 94104  
Telephone: (415) 288-4545  
Facsimile: (415) 288-4534

Attorneys for Plaintiff Joshua Horwitz

Dated: September 7, 2018

LABATON SUCHAROW LLP

By: /s/ Christopher J. Keller  
Christopher J. Keller

140 Broadway  
New York, New York 10005  
Telephone: (212) 907-0700  
Facsimile: (212) 818-0477

Attorneys for Plaintiff Andrew E. Left

1 Dated: September 7, 2018

POMERANTZ LLP

2 By: /s/ Jennifer Pafiti  
Jennifer Pafiti

3 468 North Camden Drive  
4 Beverly Hills, CA 90210  
5 Telephone: (818) 532-6499

6 Attorneys for Plaintiff Zhi Xing Fan

7 Pursuant to Local Rule No. 5-1(i)(3), all signatories concur in filling this stipulation.

8 Dated: September 7, 2018

By: /s/ Jennifer C. Bretan  
Jennifer C. Bretan

9 \* \* \*

10  
11 ~~PROPOSED~~ ORDER

12 PURSUANT TO STIPULATION, IT IS SO ORDERED.

13 Dated: September 12, 2018

14   
Hon. Edward M. Chen  
United States District Court Judge

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO